IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

OP.No. 15112 of 2003(Y)

PETITIONER:

V.J.JOHN, AGED 51 YEARS, S/O. JACOB, RESIDING AT VAZHATHARA HOUSE, MANARKAD VILLAGE, KOTTAYAM DISTRICT (WORKING AS STATION MASTER, KSRTC, KOTTAYAM UNIT AND AS THE STATE ORGANISING SECRETARY OF THE KSRTC EMPLOYEES ASSOCIATION (CITU)THIRUVANANTHAPURAM.

BY ADV. SRI.T.M.RAMAN KARTHA
SMT.MANJULA NAIR

RESPONDENTS:
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1. **STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF TRANSPORT, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.**

2. **THE KERALA STATE ROAD TRANSPORT CORPORATION (KSRTC), CHIEF OFFICE AT TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM, REPRESENTED BY ITS MANAGING DIRECTOR.**

3. **THE EXECUTIVE DIRECTOR(ADMINISTRATION), KSRTC, CHIEF OFFICE AT TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.**

4. **THE DEPUTY LABOUR COMMISSIONER - INDUSTRIAL RELATIONS OFFICE OF THE LABOUR COMMISSIONER, THIRUVANANTHAPURAM (CHIEF INSPECTOR FOR THE PURPOSE OF MOTOR TRANSPORT WORKERS ACT, 1961)**

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ADDL. R5 IMPLEADED.

5. KERALA STATE ROAD TRANSPORT EMPLOYEES ASSOCIATION (CITU), REP.BY ITS GENERAL SECRETARY, TRIVANDRUM.

ADDL. R5 IMPLEADED VIDE ORDER DT. 12.8.03 IN IA. 8844/2003.

BY GOVT. PLEADER SRI.MATHEW GEORGE VADAKKEL
SMT.ACHA RANO MATHEWS.T. ADDL. R5
SHRI.JOHNSON P.JOHN, SC, KSRTC

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 08/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE PROCEEDINGS NO.AB7/048222/2002 DT.14.3.03 ISSUED BY THE 2ND RESPONDENT.

EXT.P2:- COPY OF THE MEMORANDUM NO.AB7/11190/03 DT. 17.3.03 ISSUED BY THE 2ND RESPONDENT.

EXT.P3:- COPY OF THE AUCTION NOTICE NO.AB/011190/03 DT, 17.3.03 ISSUED BY THE 2ND RESPONDENT.

EXT.P4:- COPY OF THE REPRESENTATION FILED BY THE GENERAL SECRETARY , KSRTEA (CITU), BEFORE THE 2ND RESPONDENT ON 15.4.03.

EXT.P5:- COPY OF THE MEMORANDUM OF AB7/011190/2003 DT. 30.4.03 OF THE 3RD RESPONDENT.

/TRUE COPY/

P.A. TO JUDGE

tss

KURIAN JOSEPH, J.

O.P. NO. 15112 OF 2003

Dated this the 8th day of August, 2007.

J U D G M E N T

This writ petition is filed mainly with the following prayer:

> i) Issue a writ of mandamus or any appropriate order or direction to the 2nd respondent to provide and maintain necessary canteens for the use of its workers in compliance with Section 8 of the Motor Transport Workers Act 1961 and Rules 17 to 22 of the Motor Transport Workers Rules 1962.

2. It is seen that the Association has submitted Exhibit P4 representation before the second respondent. There will be a direction to the second respondent to look into Exhibit P4 with notice to the office of the Association and take appropriate action in accordance with law, if not already taken, within a period of four months from the date of production of a copy of this judgment.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp